

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EZELL MOORE, JR.,

Plaintiff,

v.

HUNT, et al.,

Defendants.

No. 1:20-cv-01020-NONE-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 7)

ORDER DISMISSING ACTION

ORDER FOR CLERK TO ASSIGN A
DISTRICT JUDGE TO THIS CASE FOR THE
PURPOSE OF CLOSING THE CASE AND
THEN TO CLOSE THIS CASE

Ezell Moore, Jr. (“plaintiff”), is a prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 25, 2020, the assigned magistrate judge entered findings and recommendations, recommending that “[t]his case be dismissed, without prejudice, because of Plaintiff’s failure to prosecute this case and failure to comply with a court order,” and that “[t]he Clerk of Court be directed to close this case.” (Doc. No. 7 a 3.)¹

Plaintiff was provided an opportunity to file objections to the findings and recommendations. The deadline to file objections has passed, and plaintiff has not filed

¹ The copy of the findings and recommendations and an order regarding consent to magistrate judge jurisdiction that were mailed to plaintiff were returned as undeliverable. Plaintiff’s sixty-three-day deadline to update his address (Local Rule 183(b)) has passed, and plaintiff has not filed a notice of change of address.

1 objections or otherwise responded to the findings and recommendations.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this
3 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
4 court finds the findings and recommendations to be supported by the record and proper analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on September 25, 2020, (Doc. No. 7),
7 are adopted in full;
- 8 2. This case is dismissed, without prejudice, because of plaintiff's failure to prosecute
9 this case and failure to comply with a court order; and
- 10 3. The Clerk of Court is directed to assign a district judge to this case for the purpose
11 of closing the case and then to close this case.

12 IT IS SO ORDERED.

13 Dated: **January 7, 2021**

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16 UNITED STATES DISTRICT JUDGE
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